

REMARKS

Reconsideration of the application is requested.

Claims 1-11 remain in the application. Claims 1-11 are subject to examination.

Claims 1 and 11 have been amended.

Under the heading "Claim Rejections – 35 USC § 103" on page 3 of the above-identified Office Action, claims 1-11 have been rejected as being obvious over Applicant's Admitted Prior Art in view of U.S. Patent No. 6,275,498 B1 to Bisceglia under 35 U.S.C. § 103.

Applicant clarifies that claims 1 and 11 have been amended to include the terms "first Bluetooth address BD\_ADDR" and "second Bluetooth address BD\_ADDR". In the section above entitled "Listing Of Claims", the term BD\_ADDR was raised slightly above the normal level only to comply with the regulation requiring underlining of added terms. For some reason, counsel's version of Microsoft Word<sup>TM</sup> made it necessary to raise the term BD\_ADDR in order to clearly underline all of the characters of that term.

Support for the change may be found by referring to the specification at page 3, lines 12-20, page 6, lines 13-19, and page 10, lines 14-24.

Applicant respectfully believes that that the claims as previously presented distinguished the invention from the prior art, but has chosen to amend the

claims to clarify that Bluetooth addresses are involved in an attempt to speedily advance prosecution of this case.

In summary, Applicant asserts that since the Bluetooth standard specifies using only one address to uniquely identify a Bluetooth device, and since the Bluetooth standard does not support using two addresses to identify the Bluetooth device, it simply would not have been obvious to have identified a Bluetooth device using two different addresses. Furthermore, when one considers the teaching in Bisceglia, one sees that the communication standard used in Bisceglia actually supports using multiple addresses to identify devices. Bisceglia does not teach or suggest using multiple addresses with a communication standard, such as Bluetooth, which does not support the use of multiple addresses for connection identification. Therefore, applicant asserts that the prior art simply does not teach or suggest providing a primary terminal with a second Bluetooth address BD\_ADDR for connection identification when the Bluetooth communication standard does not support the use of multiple addresses for connection identification. Applicant respectfully believes that the Examiner must have relied upon applicant's disclosure in order to obtain such a suggestion using impermissible hindsight.

Let us first review the standard for determining obviousness as set forth in the MPEP.

MPEP 2141 Section II sets forth the Graham Factual Inquiries that are used to determine obviousness under 35 U.S.C. 103. This section is copied below:

## II. BASIC CONSIDERATIONS WHICH APPLY TO OBVIOUSNESS REJECTIONS

When applying 35 U.S.C. 103, the following tenets of patent law must be adhered to:

- (A) The claimed invention must be considered as a whole;
- (B) The references must be considered as a whole and must suggest the desirability and thus the obviousness of making the combination;
- (C) The references must be viewed without the benefit of impermissible hindsight vision afforded by the claimed invention;  
and
- (D) Reasonable expectation of success is the standard with which obviousness is determined.

Applicant respectfully asserts that when Applicant's Admitted Prior Art and the teaching in Bisceglia are considered as a whole as required by tenet (B), they do not suggest the desirability of making the combination and they do not make such a combination obvious.

The Examiner has correctly recognized that Applicant's Admitted Prior Art discloses a data transmission system based on the Bluetooth standard. The Examiner, however, is of the opinion that it was obvious to modify the prior art Bluetooth data transmission system to obtain a data transmission system with the additional feature:

a second group of said secondary terminals, data packets being interchanged by radio between said primary terminal and said second group of said secondary terminals with a second Bluetooth address BD\_ADDR of said primary terminal being used for connection identification.

Applicant respectfully disagrees with the opinion of the Examiner and argues that when one of ordinary skill in the art is working with a data transmission System based on the Bluetooth standard, they simply would not have obtained a suggestion to include the feature of claim 1, which is copied above, in the system disclosed in Applicant's Admitted Prior Art.

The first and second addresses BD\_ADDR as required by currently amended claim 1 correspond to 48-bit addresses BD\_ADDR (See BD\_ADDR in Fig. 1) according to the Bluetooth standard that uniquely identify a Bluetooth device. Applicant points out that the term BD\_ADDR is defined in the Bluetooth standard. This means that according to the prior art, each Bluetooth device has its own truly unique 48-bit address BD\_ADDR that cannot be modified by

the user of the Bluetooth device. The Bluetooth standard requires this assignment of a unique address BD\_ADDR to an individual Bluetooth device. In order to conform with the Bluetooth standard, one of ordinary skill in the art uses only a single address BD\_ADDR for each individual Bluetooth device.

In contrast to this prior art Bluetooth system, the invention defined by claim 1 requires the use of a second address BD\_ADDR for connection identification during an interchange of data packets between the primary terminal and a second group of secondary terminals. This idea of using a second address BD\_ADDR contradicts the Bluetooth standard, since this standard insists on using only one address BD\_ADDR. Accordingly, by taking into account only the technical teaching of the prior art, one of ordinary skill in the art is not motivated to use a second address BD\_ADDR for connection identification as required by claim 1.

Furthermore, the teaching in Bisceglia et al. relates to communication systems in which using multiple addresses is supported by the underlying communication standards. It should be evident that employing a second address in a system supporting using multiple addresses does not provide any suggestion or motivation to use a second address in a system that does not support using multiple addresses.

Again, applicant asserts that the prior art simply does not teach or suggest providing a primary terminal with a second Bluetooth address BD\_ADDR for

connection identification when the Bluetooth communication standard does not support the use of multiple addresses for connection identification.

Claim 11 includes a primary terminal having a first Bluetooth address BD\_ADDR for wirelessly interchanging data packets with a first group of secondary terminals and a second Bluetooth address BD\_ADDR for wirelessly interchanging data packets with a second group of secondary terminals. From the discussion above, it should be clear that the invention as defined by claim 11 is also not suggested by the prior art.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1 or of claim 11. Claims 1 and 11 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 1.

In view of the foregoing, reconsideration and allowance of claims 1-11 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

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Please charge any fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Sterner LLP, No. 12-1099.

Respectfully submitted,

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